

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN**

**DAWN M. DAY,**

Plaintiff,

Case No. 06-C-0188-C

v.

**CITY OF BARABOO,  
POLICE CHIEF DENNIS KLUGE,  
BARABOO BOARD OF POLICE AND FIRE  
COMMISSIONERS,  
PRESIDENT DIANA ZICK,  
COMMISSIONER DALE FLOODY,  
COMMISSIONER J. HENRY RATHJEN,  
COMMISSIONER MARY DEPPE,**  
individually and in their official capacities,

Defendants.

**PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Pursuant to Fed. R. Civ. P. 56, the plaintiff, Dawn M. Day, hereby moves for summary judgment against the defendants, City of Baraboo, Police Chief Dennis Kluge, Baraboo Board of Police and Fire Commissioners, President Diana Zick, Commissioner Dale Floody, Commissioner J. Henry Rathjen and Commissioner Mary Deppe. This motion is based upon the pleadings and filings herein, together with the accompanying proposed findings of fact, brief in support of motion for summary judgment, and Affidavit of William R. Rettko.

Dated this 31st day of October, 2006.

**RETTKO LAW OFFICES, S.C.**  
Attorneys for Plaintiff

s/William R. Rettko  
William R. Rettko  
State Bar No. 01002608

P.O. ADDRESS:  
15430 W. Capitol Drive, Ste. 200  
Brookfield, WI 53005-2621  
(262) 783-7200